



General Assembly

January Session, 2001

Committee Bill No. 483

LCO No. 3560

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING SEXUAL COERCION BY A COACH OR INSTRUCTOR.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 53a-71 of the general statutes is repealed and the following
2 is substituted in lieu thereof:

3 (a) A person is guilty of sexual assault in the second degree when
4 such person engages in sexual intercourse with another person and: (1)
5 Such other person is thirteen years of age or older but under sixteen
6 years of age and the actor is more than two years older than such
7 person; or (2) such other person is mentally defective to the extent that
8 such other person is unable to consent to such sexual intercourse; or (3)
9 such other person is physically helpless; or (4) such other person is less
10 than eighteen years old and the actor is such person's guardian or
11 otherwise responsible for the general supervision of such person's
12 welfare; or (5) such other person is in custody of law or detained in a
13 hospital or other institution and the actor has supervisory or
14 disciplinary authority over such other person; or (6) the actor is a
15 psychotherapist and such other person is (A) a patient of the actor and
16 the sexual intercourse occurs during the psychotherapy session, (B) a

17 patient or former patient of the actor and such patient or former
18 patient is emotionally dependent upon the actor, or (C) a patient or
19 former patient of the actor and the sexual intercourse occurs by means
20 of therapeutic deception; or (7) the actor accomplishes the sexual
21 intercourse by means of false representation that the sexual intercourse
22 is for a bona fide medical purpose by a health care professional; or (8)
23 the actor is a school employee and such other person is a student
24 enrolled in a school in which the actor works or a school under the
25 jurisdiction of the local or regional board of education which employs
26 the actor; or (9) the actor is a coach or person in a position of
27 instructional authority and such other person is eighteen years of age
28 or younger and under the instructional supervision of the actor.

29 (b) Sexual assault in the second degree is a class C felony for which
30 nine months of the sentence imposed may not be suspended or
31 reduced by the court.

Statement of Purpose:

To include within the offense of sexual assault in the second degree a coach or instructor who engages in sexual intercourse with a student under nineteen years of age.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]

Co-Sponsors: SEN. RORABACK, 30th Dist.